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**Technology Center 2100**  
**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/747,091  
Filed: December 21, 2000  
Inventor(s):  
Jeffrey L. Kodosky and Kevin Hogan

Examiner: Kang, Insun  
Group/Art Unit: 2193  
Atty. Dkt. No: 5150-45900

**Title: SYSTEM AND METHOD FOR  
PROGRAMMATICALLY  
GENERATING A GRAPHICAL  
PROGRAM IN RESPONSE TO A  
STATE DIAGRAM**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

Jeffrey C. Hood

  
Signature

8/22/2006  
Date

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION**  
**OVER A PRIOR PATENT**

**Mail Stop Amendment**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Dear Sir/Madam:

1. National Instruments Corporation is the owner of all rights in the captioned application.
2. As sole owner in the captioned application, National Instruments Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 7,000,190.
3. National Instruments Corporation hereby agrees that any patent so granted on the captioned application shall be enforceable only for and during such period that it and the prior

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4. In making the above disclaimer, National Instruments Corporation does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No. 7,000,190, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

5. The undersigned is an attorney of record.

The Commissioner is authorized to charge any fees which may be required to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 501505\5150-45900\JCH.

Date: 8/22/2006

By: 

Jeffrey C. Hood  
Reg. No. 35,198  
Attorney of Record